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March 23, 2011

VIA ECF

The Honorable Robert N. Levy
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Christopher Finazzo and Douglas Dey*
10-cr-00457 (RRM) (RML)

Dear Judge Levy:

We represent Mr. Finazzo in the above-referenced case. We just concluded a conference with the Court regarding the status of the document production being made in response to the subpoena, pursuant to the Fed. R. Crim. P. 17, served upon Aéropostale, Inc. ("Aéropostale") on December 15, 2011, more than three months ago.

We believe the Court indicated that it would continue the conference on Wednesday, March 28, 2012, but the minute order indicates that the continued conference is to be held on March 29, 2012. We respectfully request that the Court clarify the inconsistency.

Respectfully submitted,


Robert J.A. Zito

RJZ/ma

cc: Jay Shapiro, Esq.
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